



COMMITTEE ON ELECTIONS, RULES, ORDINANCES, ORDERS AND CLAIMS

Councilor David A. Murphy, Chair

Councilor Jesse M. Adams

Councilor Maureen T. Carney

Meeting Minutes

Monday, May 13, 2013

6:00 pm – 8:00 pm

City Council chambers, Wallace J. Puchalski Municipal Building
212 Main Street, Northampton, MA

1. Members present/absent: Councilor David A. Murphy, Councilor Jesse M. Adams, Councilor Maureen T. Carney
2. Meeting Called to Order: **Councilor Murphy called the meeting to order at 6:00 p.m.**
3. Announcement of Audio/Video Recording of Meeting: **The meeting is audiotaped. North Street Association is videotaped the meeting. NCTV videotaped the meeting.**
4. Approval of Minutes of April 10, 2013: **Councilor Carney moved approval of the minutes; Councilor Adams seconded. The motion passed unanimously (3-0).**
5. Public Comment

6. CLAIMS:

- Deutschmann – Tow Claim of December 27, 2012

No one was present for the claim.

Councilor Adams moved to deny, without prejudice; Councilor Carney seconded. The motion passed unanimously (3-0).

- Dameri – Property Damage of January 31, 2013

No one was present for the claim.

Councilor Carney moved to deny; Councilor Adams seconded. The motion passed unanimously (3-0).

- Howe – Property Damage of February 14, 2013 and February 27, 2013

No one was present for the claim.

Councilor Carney moved to deny; Councilor Adams seconded. The motion passed unanimously (3-0).

- Robinson – Property Damage of February 17, 2013

Mr. and Mrs. Robinson were present for the claim. Councilors questioned the recommendation of the City Solicitor to deny the claim; the ownership of the lamp and post were also in question. Mr. Robinson stated that his attorney stated that "ignorance is not a defense."

Councilor Adams moved to continue to June 10, 2013; Councilor Carney seconded. The motion passed unanimously (3-0).

- Cronin – Property Damage of February 28, 2013

No one was present for the claim.

Councilor Carney moved to deny; Councilor Adams seconded. The motion passed unanimously (3-0).

- Morin – Property Damage of March 12, 2013

No one was present for the claim.

Councilor Adams moved to deny; Councilor Carney seconded. The motion passed unanimously (3-0).

7. ORDINANCES:

- Ordinance: Amend §22-30 to §22-34 and §195-1 to §195-10 and §161-3 Merge Historic District Commission into the Historical Commission (*Referred by City Council of March 7, 2013*)

Councilor Adams moved to recognize Carolyn Misch, Senior Planner; Councilor Carney seconded. The motion to recognize passed unanimously (3-0).

Ms. Misch explained that some overlap in membership of the Elm Street Historic District Commission and Historical Commission exists; the merger would improve the structure in the city for permitting and policy and will help with staff shortage and timing of permits.

Councilor Carney moved to send to City Council with a positive recommendation, as Amended; Councilor Adams seconded.

Councilor Murphy questioned compliance with statute of 40C, voting yes, contingent upon such compliance with 40C.

The motion passed unanimously (3-0).

- Ordinance: Amend §195-2 Expand Historic District to Include Much of Round Hill (*Referred by City Council of April 4, 2013 to Committee on Economic Development, Housing and Land Use, and to this Committee*)

Councilor Carney questioned the benefits of expanding the historic district; Ms. Misch noted the preservation of the campus, support from neighbors, and expanded boundaries, with recommendation by the Historical Commission. There are 19 properties with connectivity to the district. There is a signed preservation, and the current agreement allows that the developer would have to apply for permit if any exterior changes are desired. Councilor Murphy questioned the current financing agreement with Opal. Ms. Misch noted that Opal has historic tax credits.

Councilor Adams moved to continue the Ordinance to June 10, 2013; Councilor Carney seconded. The motion passed unanimously (3-0).

- Ordinance: Add Chapter §5-5, Elected Officials Compensation Advisory Board (*Referred by City Council of May 2, 2013*)

Councilor Carney moved to send to City Council with a positive recommendation; Councilor Adams seconded. The motion passed unanimously (3-0).

Ordinances Proposed by City Solicitor Alan Seewald, for this Committee's sponsorship:

- Ordinance: Amend §22-1 Overview of City Council and City Council Committees
- Ordinance: Amend §22-5 Committee on Elections, Rules, Ordinances and Orders and Claims
- Ordinance: Amend §44-3 Accounts and Claims Against the City
- Ordinance: Amend §76-18 (City Clerk) Duties
- Ordinance: Amend §128-15 Animal Control Officer; poundkeeper and provider
- Ordinance: Amend §128-16 Reimbursement for damages to livestock or fowl

Councilor Murphy stated that the City Solicitor requests this Committee's sponsorship of these Ordinances to take the claims process out of this Committee. This would save budget costs and send claims to City insurance. Councilor Adams questioned the process if a claimant does not agree with the outcome. Councilor Carney noted her disagreement with City Solicitor regarding this Committee, as an appeals committee, is placed in an "adversarial" position, but this Committee is more judicial.

Councilor Carney moved to continue the Ordinances to June 10, 2013; Councilor Adams seconded. The motion passed unanimously (3-0).

Recess 6:54 p.m. – 7:00 p.m.

7:00 p.m. – JOINT MEETING WITH PLANNING BOARD:

Councilor Murphy opened the joint hearing. Planning Board members present: Francis Johnson, Debin Bruce, John Lutz, Karla Youngblood, Ann DeWitt Brooks. Carolyn Misch, Senior Planner was also present.

Public Comment:

Richard Green – These should be presented by referendum, not decided from top down, and consequences and changes could create greater density. This is an open door to opportunity for a developer to increase density and is not limited and there are no criteria to units on a property. This should be a public referendum.

Councilor Freeman-Daniels noted a quorum of City Councilors as he and Councilor LaBarge were present with the Ordinance Committee members.

Adam Cohen – The recommendation from EDHLU was to lower to 5 units for smart growth. There should be new zoning and not just ratify. Neighborhoods have scarce parking and there is no change in off-street. If the City is advancing pro-resident, the tree canopy should be protected and new trees planted.

Deb Jacobs – The Sustainability Commission sees this challenge and this is a piece out of that plan. The City should look at rezoning in context.

Claudia Lefko - Downtown business at the edge of the City, and urban in a rural setting. We are concerned about Henry Street with deep lots to the dike. If frontage is reduced, a developer could build many units. This should address specifics for Henry Street.

Linda Rom – Support this as it brings neighborhoods to how they are intended.

Janet Gross – I have attended many meetings and am opposed to systems of modernism; you have not yet made the case for sustainability and density and this is lacking any reference to green building. New construction should be green construction. There are more car dealerships on King Street and zoning regulations contribute to degradation to historic neighborhoods. The sustainability plan is now 6 years old and the plan needs to be reviewed. It is not carved in stone and affects everyone, and should be a referendum.

Carolyn Misch gave an overview of Wards and their areas affected:

Ward 1 – URA, URB and URC	Ward 5 – URA and URB
Ward 2 – URA, URB and URC	Ward 6 - URA
Ward 3 – URA and URB	Ward 7 – URA and URB
Ward 4 – URB and URC	

Ms. Misch presented a power point presentation with goals of the Ordinances (attached).

Deb Jacobs – there is URA in Leeds, if non-conforming, availability of schools, green, quirky – some ideas – hesitant to see design and standards. The City should encourage creativity. I thought solar was ugly, but we do not live in Levittown and should consider current zoning.

Adam Cohen – Design standards sometimes need special process and should not be lost in this piece.

Councilor Carney noted emphasis on proposed zoning allows lots and residents may be confused. Councilor Carney questioned why we should be concerned if non-conforming. Ms. Misch noted that the intention is lot conformity by adding to it; if natural, cannot rebuild in 2 years. Zoning changes are to conform with court cases. Councilor Murphy questioned uses allowed by right. Ms. Misch noted that Planning Board does not dictate architectural style and does not intend to influence upon creativity. There is no neighborhood with uniform structures on a street.

Merril Norman – these changes affect real estate and residents who live in the City.

Linda Rom – our home on Olive Street cannot be a two-family, or we must build a connection. The changes are good for URB, parking and form and we all should respect those.

Councilor Murphy questioned zero lot line and single family. Ms. Misch noted affordable construction and most as a way to reduce frontage with non-attached smaller building.

Jim Nash – on the Zoning Revisions Committee. Issue of infill if character of the neighborhood is unchanged. Easing zoning would invite multi-unit UR package and would be insufficient around multi. Infill opportunities in North Street neighborhood. Current does not allow Cherry St or Graves Ave. A lax design with no sidewalks. Where does public space end and private space begin. I ask you not to approve these as written.

Linda Merly purchased and renovated a six-family at 90 Pomeroy Terrace. There is a gap which is a trouble spot for activity and debris left. Changes do not necessarily increase density.

Richard Green noted some questionable changes could allow exploitation as not all owners are responsible. Traffic would not be reduced as more people bring in more cars. A lack of discretion would endanger the character of the City. Planning Board should take a second look at this issue. A referendum would be preferred. These Ordinances would not be needed if there are more character-friendly.

A man in the audience questioned the implications of square footage requirement. Ms. Misch noted that these are minimum lot standards and some neighborhoods have different residential areas. These Ordinances are not proposing map changes.

Mack Everett noted dense housing and sensitivity to multi-family. Henry Street dike is an impromptu greenway with walkability. Traffic also brings in issues of air quality. I am not anti-development, but cautious.

Kate Ule of Henry Street chose to live here because of the one or two-family neighborhood and ability to walk to the city while living in the country. There should be re-mapping. The Ordinances are ducking the issue.

Tom, Henry Street, noted the City's job to keep neighborhoods in character.

Ms. Misch noted that a 4 family or townhouse is reviewed by Planning Board and analyzed for street front and character, and need 8 parking spaces. Any projects with 7 or more units need a 2/3 Planning Board approval. Concerns of minimum lot were noted at the September 2012 public hearing. Projects are reviewed on a case by case basis.

Claudia Lefko suggested that Henry Street be taken out of the proposal, as the area is farming community with long-term neighbors. Ms. Misch noted the demand for different types of housing units within the City.

Councilor Freeman-Daniels stated he intended to make map change proposals after the discussion at Committee on Economic Development, Housing and Land Use (EDHLU) meeting. The changes are diminished by the whole package but is not the way to stave off development.

Councilor Freeman-Daniels proposed an amendment at the May 7, 2013 EDHLU meeting regarding developments of seven units or greater, and hoped that the Ordinance Committee and Planning Board would keep open minds. Councilor Murphy noted that the amendment from EDHLU requires the Planning Department to re-advertise the Ordinance with the amendment.

Councilor Carney noted double lot size of 14 or 16 units and the need for public outreach as family sizes decrease and a need is created for housing options.

- Ordinance: Amend 350a and 350b Table of Uses and Table of Dimensions for URA (*Referred by City Council April 18, 2013 to Planning Board, Committee on Economic Development, Housing and Land Use, and Committee on Elections, Rules, Ordinances, Orders and Claims*)
- Ordinance: Amend 350a and 350b Table of Uses and Table of Dimensions for URB (*Referred by City Council April 18, 2013 to Planning Board, Committee on Economic Development, Housing and Land Use, and Committee on Elections, Rules, Ordinances, Orders and Claims*)
- Ordinance: Amend 350a and 350b Table of Uses and Table of Dimensions for URC (*Referred by City Council April 18, 2013 to Planning Board, Committee on Economic Development, Housing and Land Use, and Committee on Elections, Rules, Ordinances, Orders and Claims*)
- Ordinance: Amend 350 -6.8 Consistent with Sustainable Northampton, More Than One Structure be Allowed to be Built on One Parcel(*Referred by City Council April 18, 2013 to Planning Board, Committee on Economic Development, Housing and Land Use, and Committee on Elections, Rules, Ordinances, Orders and Claims*)

Fran Johnson moved to continue the public hearing in Planning Board to May 23, 2013; John Lutz seconded. The motion passed unanimously (5-0).

Councilor Adams moved to continue the public hearing in Committee on Elections, Rules, Ordinances, Orders and Claims to June 10, 2013; Councilor Carney seconded. The motion passed unanimously (3-0).

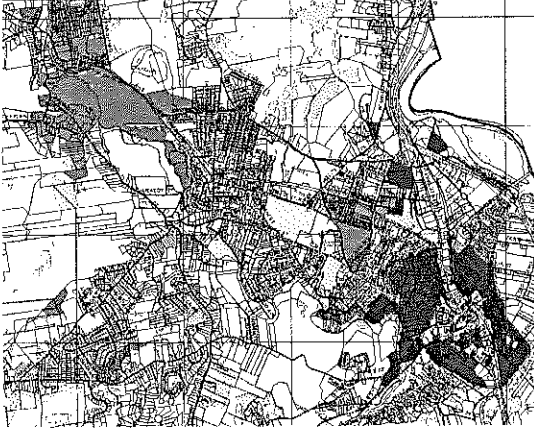
8. NEW BUSINESS –*Reserved for topics that the Chair did not reasonably anticipate would be discussed. None*

At 8:52 p.m., Devin Bruce moved to adjourn Planning Board; Karla Youngblood seconded. The motion passed unanimously (5-0).

At 8:53 p.m., Councilor Carney moved to adjourn Committee on Elections, Rules, Ordinances, Orders and Claims; Councilor Adams seconded. The motion passed unanimously (3-0).

*Respectfully submitted,
Mary L. Midura
Executive Secretary*

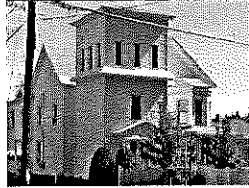
Zoning for our Core Neighborhoods URA, B, C



BY WARD:
7- URA, URB
6- URA
5- URA, URB
4- URB, URC
3- URA, URB
2- URA, B, & C
1- URA, B, & C

Goals

- Match Zoning to existing neighborhoods
- Eliminate many non-conformities
- Create flexibility for family changes
- Encourage preservation of historic homes
- Maintain neighborhood character
- Simplify Ordinance/Consolidate use & dimensions

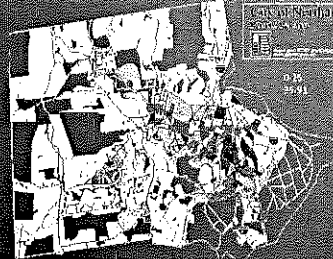


Public Process History

- 2005 SDAT Process
- 2006-2007 Sustainable Northampton Plan
 - Recommends changes to address multiple objectives
- 2009 ZRC created
 - 2011 ZRC report -recommended changes to URA, B, C
 - Acknowledge neighborhood character, allow to replicate
- 2010 Housing Needs Assessment & Strategic Plan
- 2012 Draft regulations for public comment
- 2013 Modifications based on public comment

Data

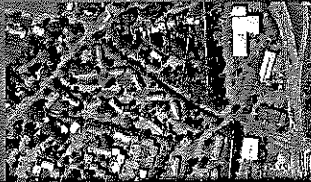
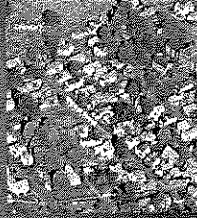
- Population flat/declining since 1960
 - down 2.6 % since 1980
- People per household dropped from 2.86 in 1980 to 2.14 2010 (1.86 for SF structures and 1.68 MF neighborhoods near downtown).



Census Pop. YEAR	1980	2000	2010
URA	2,338	2,231	2,149
URB	9,843	9,700	9,528
URC	7,337	7,119	7,025

Sustainability Issues

- Existing Neighborhoods could not be rebuilt:
 - 60+% of units do not conform
- Housing Analysis shows demand for affordable units.
- Units close to services
 - Reduces overall traffic
- Adjust zoning to reflect historic development patterns
 - Mix of units throughout



URA Details



- Lot Size
 - 5,000 sf
 - 50' frontage
 - 40% ps
- Single Family & accessory units
- 1 standard all uses
- Design

URA Neighborhood Reflections

- 65% of Single Family meet current 12,000 f²
- 99% of Single Family would comply at 5,000 f²
- 8% of units would remain non-conforming due to density (2, 3, 4+ unit structures)

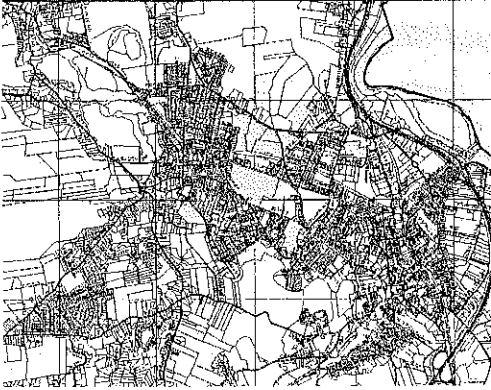


URA Example



- Ridgewood Terrace
- 50' frontages 5500-7000 sf lot size

URB Details



- 2,500 f²/unit (3,750 1- fam)
- 50' frontage
- 40% os
- 10' front setback
- More than 1 structure/lot
- 1 standard all uses
- Design

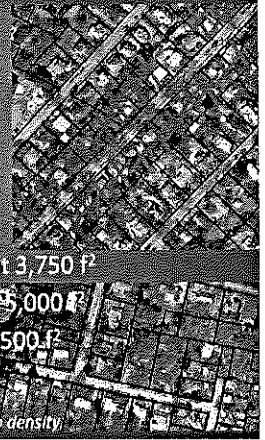
URB Neighborhood Reflections

Current Zoning:

- 63% Single Family meet 8,000 f²
- 38% Two- Family meet 12,000 f²
- 18 % 3- Family meet 21,000 f²

Proposed Zoning:

- 99% Single Family would comply at 3,750 f²
- 92% Two- Family would comply at 5,000 f²
- 76 % 3- Family would comply at 7,500 f²
- 3% of units would remain non-conforming due to density



URB Examples



Add a unit to existing oversized structure

Create new lot to "fill in gap in streetscape"



URC Details



- 2,500 f² /unit (3,750 1-family)
- 50' frontage
- 10' front/side
- Any mix by right
- Modify Heights
- More than 1 structure/lot
- 1 standard all uses
- Design Standards

Walking Distance Surrounding CB

- ¼ mile route- Inside URC
- ½ mile route edge+ URC



URC Neighborhood Reflections

Current Zoning:

- 61% Single Family meet 6,000 f²
- 14% Two- Family meet 12,000 f²
- 7% 3- Family meet 18,000 f²
- 5% 4- Family meet 24,000 f²

Proposed Zoning:

- 90% Single Family would comply at 3,750 f²
- 75% Two- Family would comply at 5,000 f²
- 46 % 3- Family would comply at 7,500 f²
- 49 % 4- Family would comply at 10,000 f²



URC Examples



Add a unit to existing oversized structure

Create new lot to "fill in gap in streetscape"



Summary

- Matches Existing Neighborhood form/character
- Replicates High Value Neighborhoods
- Encourages sustainability/reduce overall traffic
- Encourages preservation of older homes
- Preserves rich character/mix within neighborhoods
- Reduces pressure for building large scale "projects"

Design Standards

Planning Board may waive, by site plan approval elements 2, 3, 4 if it can be shown that a different design meets a pedestrian-scale design that encourages public/private transition and interface (e.g. similar elements facing internal courtyards or private streets)

1. If a garage or other parking structure is attached, it must be set back 20' and the garage/structure shall comprise no more than 30% of the front facade of the primary structure. Side setback may be 10' for the garage only if used as workshop/storage etc.

Illustrated

☐ Primary Structure
☒ Garage or Parking Structure
☒ Area

Max 30% of total combined area of facades

Living Space above and beside

Max 30% of total combined area of facades

Connector elements must be set back & include glazed openings that face the street

Living space above

Max 30% of total combined area of facades

DOESN'T FIT

Exceeds 30% of total combined area of facades

2. Front doors must face the street.

Buildings must have a covered entry.

Covered entry

3. For new buildings, setback, scale, massing should fit within the block face.

Doesn't fit

4. Parking for more than 5 cars shall be distributed on the site to minimize impact to the neighborhood character. Accomplished by small groupings of spaces surrounded by landscaping or partial parking along a narrow driveway to mimic an alley.

Minimum Parking for residential uses

For other uses see table in 350-8.2

Space per 1,000 ft² Gross Living Area (round up). No more than 2 spaces required per unit.

Front yard setback may only have parking for a maximum of two vehicles



PLANNING AND SUSTAINABILITY • CITY OF NORTHAMPTON

planning • conservation • zoning • northampton GIS • historic • community preservation • central business architecture

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Northampton Public Hearing Monday June 10, 2013 Council Chambers, 212 Main St, Northampton

Committee on Elections, Rules, Ordinances, Orders

6:00 PM Modify URC and URB list of uses to specify that special permit is required for any multifamily or townhouse project containing 7 or more units.

Publish May 24, Jun 3

Bill to: Office of Planning & Development
Account #: 71350

